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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,590	09/16/2003	Robert J. Lowles	555255012543	3288
26123	7590	08/24/2006	EXAMINER	
BORDEN LADNER GERVAIS LLP WORLD EXCHANGE PLAZA 100 QUEEN STREET SUITE 1100 OTTAWA, ON K1P 1J9 CANADA			PENDER, JOSHUA	
			ART UNIT	PAPER NUMBER
			2193	

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/663,590

**Applicant(s)**

LOWLES, ROBERT J.

**Examiner**

Joshua Pender

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-9 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 09/21/2000
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lignoul (US 2002/0095222) in view of Inukai (US Patent No. 7,042,427).

As to claim 1, Lignoul discloses a system for providing a screen saver for a display panel (160) in a mobile electronic device ((PDA) see paragraph [0004], lines 1-9) comprising:

memory (150) for storing a screen saver image (see [0035] lines 14-15);

display controlling means (i.e. screen saver display program 220) configured to retrieve said screen saver image from said memory and to transmit said screen saver image to said display panel during a screen saver mode (see paragraph [0035], lines 23-29 and paragraph [0048]);

and screen saver controlling means (105,120,230) for sensing activity by a CPU interface, for switching operation of said display panel from an operating mode to the screen saver mode after a predetermined time period of inactivity by the CPU interface (see paragraphs [0037] and

[0048]). Lignoul does not teach controlling primary colours of said display panel to balance life of said primary colours of said display panel. In same field of endeavor (screen saver; see column 10, lines 25-30 of Inukai), Inukai teaches controlling primary colours of said display panel to balance life of said primary colours of said display panel by correcting or reducing luminance during the screen saver (see column 7, lines 19-29 and see column 10, lines 25-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used balancing luminance of colors taught by Inukai with a screen saver program taught by Lignoul because it would result in a clear image being displayed as well as a desired color can be displayed even when OLED deteriorated at different speed (Inukai [abstract] and column 7, lines 26-29).

As to claim 2, Inukai teaches a segment driver (Source Line Driver Circuit 103), and a common driver (Gate Line Driver Circuit 104

As to claim 3, Lignoul teaches wherein said screen saver controlling means comprises a screen saver timer (120).

As to claim 4, Lignoul teaches wherein said screen saver controlling means (105, 120, 230) further comprises: a set of timers (120) (see [0030] the timer (120) of Lignoul has plurality of counter. These counter read on a set of timers as broad claimed language. Lignoul does not teach for

preserving primary colours of said display panel to balance life of said primary colours of said display panel. Inukai teaches for preserving primary colours of said display panel ("Liquid Crystal Display device": see column 1 line 18) to balance life of said primary colours of said display panel by correcting or reducing luminance during screen saver (Inukai column 7 lines 23-29 and column 10, lines 25-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used balancing luminance of colors taught by Inukai with a screen saver program taught by Lignoul because it would result in a clear image being displayed as well as a desired color can be displayed even when OLED deteriorated at different speed (Inukai [abstract] and column 7, lines 26-29).

As to claim 8, Lignoul teaches a method of providing a screen saver for a display panel (160) in a mobile electronic device ((PDA) see [0004] lines 1-9) comprising the steps of: sensing a time period of inactivity [0037]; transmitting a signal to a display controller (220) indicating said sensing of said time period of inactivity [0037]; retrieving a screen saver image (static or animated image) from memory ((150) see paragraph [0035] and [0048]); determining a display location of said screen saver image on said display panel (i.e. screen saver image positioned either foreground or background) (see paragraph [0037]); displaying said screen saver image, on said display panel at said display location [0037]. Lignoul does not

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teach monitoring use of display panel primary colours; and disabling said primary colours such that colours are preserved. Inukai teaches monitoring use of display panel (i.e. using ammeter 201 to monitor or measure the current) (see column 7, lines 55-67) primary colours; and disabling, said primary colours (by reducing luminance during screen saver) such that colours are preserved (see column 7 lines 10-14 and column 10 lines 25-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used balancing luminance of colors taught by Inukai with a screen saver program taught by Lignoul because it would result in a clear image being displayed as well as a desired color can be displayed even when OLED deteriorated at different speed (Inukai [abstract] and column 7, lines 26-29).

As to claim 6, Lignoul teaches; a move icon timer (i.e. counter see paragraph [0038]) configured to count down a move icon time (i.e. cursor) a command generator (110) for generating a new display location (e.g. from foreground to background) for the screen saver image after the move icon time elapsed (i.e. a period of user inactive or cursor is not moved by a user in a period of time) (see paragraphs [0035] and [0038]).

As to claim 9, this claim differs from claim 6 only in that claim 9 is a method whereas claim 6 is a system. Thus, claim 9 is analyzed as previously discussed with respect to claim 6 above.

As to claim 7, Lignoul teaches that the screen saver including an image or animation. Thus, it would have been obvious that the image screen saver of Lignoul would include time data, which depends upon the desire of a user.

### ***Allowable Subject Matter***

3. Claims 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance: The prior art of records, either singularly or in combination fails to teach where in a set of RGB timers is connected to a digital analog converter (DAC) corresponding to one of said primary colours to enable and disable said primary colours on said display.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

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4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Makipaa et al (US 2003/1069306) teaches screen savers on a mobile device. Kalmanash (US 5,211,463) teaches life and color balance of a liquid crystal display.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Pender whose telephone number is 571-270-1045. The examiner can normally be reached on M-Th, 7:30am - 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh Nguyen can be reached on 571-272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Joshua Pender

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8/16/06



CHANH D. NGUYEN  
SUPERVISORY PATENT EXAMINER